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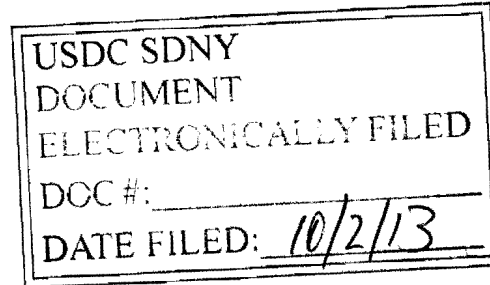
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September 30, 2013

**VIA FACSIMILE (212) 805-7986**

Judge Paul G. Gardephe  
Thurgood Marshall  
United States Courthouse  
40 Foley Square, Chambers 2204  
Courtroom 705  
New York, NY 10007



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MIRANDA & ESTAYILLO

**Re: Lockheed Martin Corporation, et al. v. MTA, et al.**  
**Civil Action No.: 09 Civ. 04077 (PGG)**

Dear Judge Gardephe:

Our firm represents Plaintiff Lockheed Martin Corporation ("Lockheed Martin") in this litigation. This joint letter is respectfully submitted by counsel for all parties to request a brief extension of time to inform the Court of any proposed Daubert motions. The current Scheduling Order, dated May 13, 2013, provides for the parties to inform the Court of Daubert motions by September 30, 2013, eighteen (18) days after the original date to submit reply papers, which date has been extended to October 9, 2013 as so ordered by the Court. Counsel for all parties jointly request that the date to inform the Court of any proposed Daubert motions be extended to October 28, 2013. This is the first request made by the parties to change this date.

Thank you for considering this joint application.

Respectfully submitted,

*Michael Chartan*

Michael Chartan (MC 4609)

cc: Ira J. Lipton, Esq., Hogue, Newman Regal and Kenney, LLP, for MTA (via email)  
Adam Friedman, Esq., Wolff & Samson P.C., for the Sureties (via email)

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**MEMO ENDORSED**

**The Application is granted.**

**SO ORDERED:**

*Paul G. Gardephe*  
Paul G. Gardephe, U.S.D.J.

Oct. 2, 2013